

**POLICE BOARD
CITY OF CHICAGO**

**DISCIPLINARY CASES
QUARTERLY REPORT
September 30, 2020**

Police Board's Role in the Disciplinary Process

The Police Board decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Police Department, or to suspend an officer for more than thirty days.

In addition, members of the Police Board resolve disagreements between the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police over the recommended discipline of an officer.

Disciplinary Cases Filed with the Police Board

January 1 - September 30, 2020

	BIA	COPA	OIG	TOTAL
DISCHARGE CASES				
# of officers charged by the Supt	3	9	0	12
Pending charges as of September 30 (some filed in 2019)	3	13	0	16
SUSPENSION CASES: > 30 DAYS				
# of officers charged by the Supt	0	0	0	0
Pending charges as of September 30	0	0	0	0

BIA = Investigated by the CPD's Bureau of Internal Affairs

COPA = Investigated by the Civilian Office of Police Accountability

OIG = Investigated by the Office of the Inspector General

Decisions in Discharge Cases

From January 1 through September 30, 2020, the Police Board decided or otherwise disposed of cases involving 8 officers that the Superintendent recommended be discharged from the Chicago Police Department.

JANUARY 1 - SEPTEMBER 30, 2020	NUMBER OF OFFICERS:			
	Guilty & Discharged	Guilty & Suspended	Not Guilty	Resigned*
Primary Charges (Investigation)				
Excessive Force--On Duty (COPA)	2	0	0	0
Other On-Duty Misconduct (COPA)	0	0	0	0
Domestic Altercation--Off Duty (COPA)	0	0	0	0
Other Off-Duty Misconduct (COPA)	2	0	0	0
Drug/Alcohol Abuse (BIA)	0	0	0	0
Bribery/Official Corruption (BIA)	0	0	0	1
Commission of a Crime (BIA)	0	0	0	1
Conduct Unbecoming--Off Duty (BIA)	0	0	0	0
Operation/Personnel Violations (for example, false reports, medical roll, insubordination, residency) (BIA or OIG)	1	1	0	0
Other (BIA)	0	0	0	0
Total	5	1	0	2
*The respondent resigned prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.				

Decisions in Suspension Cases: More Than Thirty Days

From January 1 through September 30, 2020, the Police Board decided 1 case involving an officer recommended for suspension of more than thirty days. In this case (investigated by COPA), the Board found the police officer guilty of engaging in an unjustified altercation and displaying a weapon while intoxicated and off duty, and ordered a 180-day suspension (COPA and the Superintendent recommended a 120-day suspension).

Time to Hearing and Decision

After the Superintendent files charges with the Police Board and they are served on the accused officer, the officer has a right to obtain legal representation, receive discovery, and prepare a defense to the charges. An evidentiary hearing is then scheduled. Once a hearing is completed, the members of the Police Board receive and review the entire record of proceedings in preparation for their monthly meeting. The Board meets in closed session to consider the case. At the following month's public meeting, the Board will take final action on the case and adopt its written findings and decision.

The Board closely monitors the amount of time needed bring disciplinary cases to hearing and decision. A fair and efficient disposition of each case is an important component of due process, and keeping delays to a minimum is a priority because the accused officer is ordinarily suspended without pay when the charges are filed.

The table below shows the median amount of time from the filing of charges to a hearing and decision.

	Median # of days from filing of charges to first day of hearing	Median # of days from filing of charges to Police Board decision
Cases decided in 2020 (6 cases)	176 (5.8 months)	271 (8.9 months)

Appeals of Police Board Decisions

Under Illinois law, the parties to a Police Board disciplinary case (the Superintendent and the accused officer) have the right to appeal the Board's decision by filing a petition for administrative review in the Circuit Court of Cook County. A party dissatisfied with the Circuit Court's review of a Police Board case may appeal to the Appellate Court of Illinois.

January 1 - September 30, 2020

PB Decisions <u>Appealed</u>	PB Decisions <u>Upheld*</u>	PB Decisions <u>Reversed</u>	PB Decisions <u>Pending Final Court Decision**</u>
2	1	0	11

*Police Board decision affirmed or appeal dismissed.

**Cases (1) currently before a court, or (2) for which the time limit for appealing a court decision has not yet expired.

Note: A particular case may be reviewed by more than one court (circuit court, appellate court), and court rulings may cause the Board to issue more than one decision (e.g., a decision on remand); the data in this table pertain to *final* court action regarding the Board's *original* decision.

Reviews of Disciplinary Recommendations Under the COPA Ordinance

When the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police do not concur regarding discipline of a Department member, the Chief Administrator shall refer the matter to one member of the Police Board. The reviewing member shall then resolve the disagreement between the Chief Administrator and the Superintendent, as follows:

- If, in the opinion of the reviewing member, the Superintendent's response did not meet the burden of overcoming the Chief Administrator's recommendation for discipline, the Chief Administrator's recommendation shall be deemed to be accepted by the Superintendent.
- If, in the opinion of the Reviewing Member, the Superintendent met the burden to overcome the Chief Administrator's recommendation for discipline, the Superintendent's response shall be implemented.

January 1 - September 30, 2020

<u>Chief Administrator's Recommendation for Discipline</u>	<u>Reviewing Member Ruled for Chief Administrator</u>	<u>Reviewing Member Ruled for Superintendent</u>
Discharge from CPD	0	0
Suspension > 30 days	0	0
Suspension 11 - 30 days	1	0
Reprimand or Suspension 1 - 10 days	0	0